REMARKS

Claims 1-17 are pending. By this Amendment, Claims 2-3 and 10 are amended to broaden their scope, replacement Figures 1-2 are provided, and the specification is amended to be consistent with the nomenclature of "Figure 2A" and "Figure 2B" introduced in the replacement Figures 2.

In the Office Action, the Examiner objects to the drawings. Applicant respectfully submits that the replacement Figures 1-2 filed herewith obviate the objection. Withdrawal of the objection is respectfully requested.

In the Office Action, the Examiner rejects Claims 1-8 and 10-17 under 35 U.S.C. § 102(b) over U.S. Patent No. 6,055,577 to Lee, *et al.* (Lee). This rejection is respectfully traversed.

Lee discloses a data processing system as shown in Figure 1, where the bus 101 is a bus or other *internal* communication mechanism. See e.g. Column 4, lines 13-14. The bus 101 is coupled directly to another bus 103, which in turn connects directly to peripheral devices such as a display, keyboard, and so forth. Figure 2 discloses another system wherein clients 220 are connected to a server 200 by communication lines 222, 224.

However, Lee fails to disclose or suggest that the real-time clients 220 shown in Figure 2 are Web clients, that communicate with the server via the Internet, as shown for example in Figure 1 of the present application and encompassed by Claim 1 of the present application. In particular, Lee fails to disclose or suggest *receiving a request from a Web client process*, as recited in Claim 1.

AMENDMENTS TO THE DRAWINGS:

Replacement Figures 1-2 are filed herewith. The replacement figures correspond to the descriptions figures in the originally filed application.

Lee further fails to disclose or suggest that the request includes customer ID information, and that this customer ID information is used to allocate computing resources.

As described for example on page four of the present application, PRM configuration information provided in accordance with the present invention defines levels of customer service as a parameter by which computing resources are allocated to the plurality of cgi-bin processes operable on the computing node. High-priority, higher volume, valued customers receive higher priority levels in accordance with the PRM configuration information. When the Web server process spawns such a cgi-bin process, customer or user identification information associated with the requesting Web client process is associated with the cgi-bin process spawned by the Web server. This user ID or customer ID information is then mapped through the PRM configuration information to determine the priority of computing resource allocation to be associated with the spawned cgi-bin process.

The portion of Lee cited by the Examiner, column 5, lines 12-36, discloses that real time processes 215 request I/O bit rates. However, Lee fails to disclose or suggest user ID or customer ID information as described in the present application, and fails to disclose or suggest using such information, for example to allocate computing resources.

In particular, Lee fails to disclose or suggest *receiving a request from a Web client process wherein said request includes customer ID information, spawning a program element operable on a computing node to process said request, associating said customer ID information with the spawned program, and allocating computing*

resources of said computing node to the spawned program element in accordance with said customer ID information associated with said request, as recited in Claim 1.

Lee further fails to disclose or suggest additional features variously recited in the dependent claims. For example, Lee at column 5, line 64 to column 6, line 9 discloses that an optimum I/O data rate at which data can be delivered by a storage subsystem in a system, can vary depending on how the system is configured. This section of Lee (cited by the Examiner as disclosing Claim 3) also discloses that a value representing available bandwidth can change as processes begin to use the storage subsystem. However, this disclosure of Lee fails to disclose or suggest *allocating a maximum level of resources to the spawned program element in accordance with said customer ID information*, as recited in Claim 3.

Furthermore, contrary to the assertion in the Office Action, Lee at column 5, lines 12-36 fails to disclose or suggest that *customer ID information is encoded in a process name of each said spawned program element*, as recited in Claim 4. This section of Lee merely discloses that processes 215, 216 request I/O bit rates, and a file server 205 assigns I/O bit rates in response to the requests. Accordingly the section of Lee cited by the Examiner fails to disclose customer ID information as described in the present application, and fails to disclose or suggest encoding such customer ID information in a process name of each spawned program element, as recited in Claim 4.

With respect to Claim 6, the Examiner asserts that Lee discloses allocating computing resources including main memory, and asserts that Figure 2 of Lee discloses the primary file server being accessed by clients. These assertions are respectfully traversed. A careful reading of Lee's description of Figure 2 in columns

5-6, reveals that the main function of the file server is to coordinate access to the disk subsystem 310 by processes 215, 216. See for example column 5, lines 35-36. Column 6, lines 10-39 describes in greater detail how the file server 205 evaluates I/O bit rate requests and then assigns I/O bit rates for transfer of data between the process 215 and the disk subsystem 310, before the file server 205 allows the process 215 to access the disk subsystem 310. Lee fails to disclose or suggest allocating resources of the file server 205, much less based on a consumer ID information. Accordingly, Lee fails to disclose or suggest allocating computing resources of said computing node to the spawned program element in accordance with said customer ID information associated with said request, wherein *said computing resources includes main memory utilization* as recited in Claim 6.

Withdrawal of the rejection of Claims 1-8 and 10-17 under 35 U.S.C. § 102(b) over Lee is respectfully requested.

In the Office Action the Examiner also rejects Claim 9 under 35 U.S.C. § 103(a) over Lee. This rejection is respectfully traversed. As set forth above, Lee fails to disclose or suggest Claim 1 from which Claim 9 depends, and for at least the same reasons therefore fails to disclose or suggest Claim 9. Withdrawal of the rejection of Claim 9 under 35 U.S.C. § 103(a) over Lee is respectfully requested.

Applicant respectfully submits that the application is in condition for allowance. Favorable consideration on the merits and prompt allowance are respectfully requested.

In the event any questions arise regarding this communication or the application in general, please contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By: _____
M. David Ream
Registration No. 35,333

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620